

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

BRYCE MARTINEZ,	:	
	:	
Plaintiff,	:	
	:	No. 2:25-cv-00377-MRP
	:	JURY TRIAL DEMANDED
vs.	:	
	:	
KRAFT HEINZ COMPANY, INC., MONDELEZ INTERNATIONAL, INC., POST HOLDINGS, INC., THE COCA-COLA COMPANY, PEPSICO, INC., GENERAL MILLS, INC.	:	
NESTLE USA, INC., KELLANOVA, WK KELLOGG CO., MARS INCORPORATED, INC., CONAGRA BRANDS, INC.		
Defendants.	:	

**JOINT MOTION TO EXCEED THE PAGE LIMITS AND FOR ENTRY OF ORDER
SETTING BRIEFING SCHEDULE AND BRIEF LENGTHS FOR DEFENDANTS’
MOTIONS TO DISMISS**

To ensure efficiency and compliance with the Rules of Civil Procedure and the Policies & Procedures of this Court, the Parties met and conferred regarding Defendants’ forthcoming Rule 12 motions. In lieu of separate motions, Defendants seek to file an omnibus motion targeting several issues common to some or all Defendants. In addition, up to two Defendants may file short Defendant-specific memoranda targeting individual issues. Accordingly, pursuant to the Court’s Judicial Policies & Procedures (Section III.A), the Parties jointly move this Court for: (1) leave to exceed the page limits for Defendants’ Omnibus Motion to Dismiss, Plaintiff’s Opposition, and Defendants’ Reply, and (2) entry of an Order setting briefing schedule and brief lengths for Defendants’ Motions to Dismiss (memorializing their Stipulation set forth as **Exhibit A**).

There is good cause for this request. The Parties respectfully submit that the proposed page limits set forth below and in the attached Stipulation are appropriate given the number of issues raised in the Complaint and the number of Defendants in the case. An omnibus motion to dismiss will ensure efficiency by addressing issues common to multiple Defendants in one brief, and the proposed page limits are meaningfully shorter than those allowed under the Court's Policies and Procedures were every Defendant to file an individual brief. Accordingly, the Parties jointly request that the Court grant them leave to file their Rule 12 motions as follows:

1. Defendants may file a consolidated memorandum of law in support of their Omnibus Motion to Dismiss of no more than 50 pages.
2. Plaintiff may file an opposition brief of no more than 50 pages.
3. Defendants may file a consolidated reply of no longer than 25 pages.
4. In addition, up to two Defendants may file individual memoranda to address issues unique to those Defendants. Those memoranda shall not exceed 7 pages each. Plaintiff may file individual responses no longer than 7 pages to each Defendant-specific memoranda, and the Defendants may file individual replies no longer than 5 pages.

Furthermore, under this Court's January 29, 2025 Order, Dkt. 57, Defendants' deadline to respond to Plaintiff's Complaint is March 31, 2025. The parties jointly move this Court for an order that establishes the following schedule:

1. Plaintiff's deadline to file any briefs in response to Defendants' Motions to Dismiss is extended to May 30, 2025.
2. Defendants' deadline to file reply briefs in support of the Motions to Dismiss is extended to July 14, 2025.

The Parties Stipulation to Set Briefing Schedule and Brief Lengths for Defendants' Motions to Dismiss, memorializing the above, is attached hereto as **Exhibit A**, and a Proposed Order is filed herewith.

Dated: March 25, 2025

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CERTIFICATE OF SERVICE

I hereby certify that on March 25, 2025, the foregoing was served via the Court's ECF system on all counsel of record.

/s/ Will W. Sachse
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